



General Assembly

January Session, 2015

Raised Bill No. 6924

LCO No. 4324



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT INCREASING THE AMOUNT OF DAMAGES THAT MAY BE CLAIMED IN A SMALL CLAIMS ACTION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 51-15 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2015, and applicable to small claims actions and counterclaims*
4 *filed on or after said date*):

5 (d) The procedure for the hearing and determination of small claims
6 as the same may be prescribed, from time to time, by the judges of the
7 Superior Court shall be used in all small claims sessions of the court.
8 The small claims procedure shall be applicable to all actions, except
9 actions of libel and slander, claiming money damages not in excess of
10 [five] ten thousand dollars, and to no other actions. If an action is
11 brought in the small claims session by a tenant pursuant to subsection
12 (g) of section 47a-21 to reclaim any part of a security deposit which
13 may be due, the judicial authority hearing the action may award to the
14 tenant the damages authorized by subsection (d) of said section and, if
15 authorized by the rental agreement or any provision of the general

16 statutes, costs, notwithstanding that the amount of such damages and
 17 costs, in the aggregate, exceeds the jurisdictional monetary limit
 18 established by this subsection. If a motion is filed to transfer a small
 19 claims matter to the regular docket in the court, the moving party shall
 20 pay the fee prescribed by section 52-259, as amended by this act. The
 21 Attorney General or an assistant attorney general, or the head of any
 22 state agency or his or her authorized representative, while acting in his
 23 or her official capacity shall not be required to pay any small claims
 24 court fee. There shall be no charge for copies of service on defendants
 25 in small claims matters.

26 Sec. 2. Subsection (b) of section 52-259 of the general statutes is
 27 repealed and the following is substituted in lieu thereof (*Effective*
 28 *October 1, 2015, and applicable to small claims actions and counterclaims*
 29 *filed on or after said date*):

30 (b) The fee for the entry of a small claims case and for filing a
 31 counterclaim in a small claims case shall be: [ninety] (1) Ninety dollars
 32 for a small claims case or counterclaim claiming money damages not in
 33 excess of five thousand dollars, and (2) one hundred fifty dollars for a
 34 small claims case or counterclaim claiming money damages in excess
 35 of five thousand dollars. If a motion is filed to transfer a small claims
 36 case to the regular docket, the moving party shall pay a fee of one
 37 hundred twenty-five dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015, and applicable to small claims actions and counterclaims filed on or after said date</i>	51-15(d)
Sec. 2	<i>October 1, 2015, and applicable to small claims actions and counterclaims filed on or after said date</i>	52-259(b)

Statement of Purpose:

To increase the damages threshold in small claims cases and establish a new entry fee for claims exceeding five thousand dollars in money damages.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]